

MANDEL &amp; ADRIANO

## United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

The specification of which

a. ☐ is attached hereto

b. ☒ was filed on July 3, 2000 as application serial no. 09/609,915 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☐ no such applications have been filed.

b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS as of July 3, 2000 (patented, pending, abandoned)
07/723,617	27 June 1991	Abandoned
08/008,898	22 January 1993	Patented
08/228,208	15 April 1994	Pending
08/539,436	5 October 1995	Pending
09/014,761	28 January 1998	Pending
09/603,825	26 June 2000	Pending

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/036,549	31 January 1997

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Sarah B. Adriano	Reg. No. 34,470
SaraLynn Mandel	Reg. No. 31,853
Roberta D. German	Reg. No. 43,902
Greg S. Hollrigel	Reg. No. 45,374

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Mandel & Adriano to the contrary.

Please direct all correspondence in this case to Mandel & Adriano at the address indicated below:

Mandel & Adriano  
35 No. Arroyo Parkway, Suite 60  
Pasadena, California 91103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Linsley	First Given Name Peter	Second Given Name S.
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship USA
1	Post Office Address	Post Office Address 2430 9 <sup>th</sup> Avenue West	City Seattle	State & Zip Code/Country Washington, 98119/USA
Signature of Inventor 201:			Date:	
2	Full Name Of Inventor	Family Name Ledbetter	First Given Name Jeffrey	Second Given Name A.
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship USA
2	Post Office Address	Post Office Address 306 N.W. 113 <sup>th</sup> Place	City Seattle	State & Zip Code/Country Washington, 98117/USA
Signature of Inventor 202:			Date:	
2	Full Name Of Inventor	Family Name Bajorath	First Given Name Jurgen	Second Given Name
0	Residence & Citizenship	City Lynnwood	State or Foreign Country Washington	Country of Citizenship Germany
3	Post Office Address	Post Office Address 17406 37 <sup>th</sup> Avenue W.	City Lynnwood	State & Zip Code/Country Washington, 98037/USA
Signature of Inventor 203:			Date: 02-05-01	

2	Full Name Of Inventor	Family Name Peach	First Given Name Robert	Second Given Name J.
0	Residence & Citizenship	City San Diego	State or Foreign Country California	Country of Citizenship New Zealand
4	Post Office Address	Post Office Address 10022 Paseo Monril, Apt. 210	City San Diego	State & Zip Code/Country California, 92129/USA
Signature of Inventor 204: <i>Robert J. Peach</i>			Date: 02/04/01	
2	Full Name Of Inventor	Family Name Brady	First Given Name William	Second Given Name
0	Residence & Citizenship	City Bothell	State or Foreign Country Washington	Country of Citizenship USA
5	Post Office Address	Post Office Address 618 219 <sup>th</sup> Place S.W.	City Bothell	State & Zip Code/Country Washington, 98021/USA
Signature of Inventor 205:			Date:	
2	Full Name Of Inventor	Family Name Wallace	First Given Name Philip	Second Given Name
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship USA
6	Post Office Address	Post Office Address 3020 64 <sup>th</sup> Avenue Southwest #D	City Seattle	State & Zip Code/Country Washington, 98116/USA
Signature of Inventor 206:			Date:	
2	Full Name Of Inventor	Family Name Damle	First Given Name Nitin	Second Given Name
0	Residence & Citizenship	City Monmount Junction	State or Foreign Country New Jersey	Country of Citizenship USA
7	Post Office Address	Post Office Address 865 Ridge Road	City Monmount Junction	State & Zip Code/Country New Jersey, 08852/USA
Signature of Inventor 207:			Date:	

#### § 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

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Signature of Inventor 206: <i>P. Wallace</i>			Date: <i>1/31/2001</i>	
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2	Full Name Of Inventor	Family Name Wallace	First Given Name Philip	Second Given Name
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship USA
6	Post Office Address	Post Office Address 3020 64 <sup>th</sup> Avenue Southwest #D	City Seattle	State & Zip Code/Country Washington, 98116/USA
Signature of Inventor 206:			Date:	
2	Full Name Of Inventor	Family Name Damle	First Given Name Nitin	Second Given Name
0	Residence & Citizenship	City <i>Upper Saddle River</i> <del>Monmouth Junction</del>	State or Foreign Country New Jersey	Country of Citizenship USA
7	Post Office Address	Post Office Address <del>865 Ridge Road</del> <i>93 Stevenson Lane</i>	City <i>Upper Saddle River</i> <del>Monmouth Junction</del>	State & Zip Code/Country New Jersey, <del>08852/USA</del> <i>07458/USA</i>
Signature of Inventor 207:			Date: <i>2-20-2001</i>	

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(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- or
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

add a37

MANDEL & ADRIANO

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

The specification of which

- a. ☐ is attached hereto  
 b. ☒ was filed on July 3, 2000 as application serial no. Not Yet Known and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

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U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)
08/228,208	April 15, 1994	Pending
08/539,436	October 19, 1995	Pending
Not Yet Known	June 26, 2000	Pending
089/014,761	January 28, 1998	Pending

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/036,549	January 28, 1997

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Sarah B. Adriano      Reg. No. 34,470  
 SaraLynn Mandel      Reg. No. 31,853  
 Roberta D. German      Reg. No. 43,902

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Please direct all correspondence in this case to Mandel & Adriano at the address indicated below:

Mandel & Adriano  
 35 No. Arroyo Parkway, Suite 60  
 Pasadena, California 91103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Linsley	<b>First Given Name</b> Peter	<b>Second Given Name</b> S.
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Seattle	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
1	<b>Post Office Address</b>	<b>Post Office Address</b> 2430 9 <sup>th</sup> Avenue West	<b>City</b> Seattle	<b>State &amp; Zip Code/Country</b> Washington, 98119/USA
<b>Signature of Inventor 201:</b>				<b>Date:</b>
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Ledbetter	<b>First Given Name</b> Jeffrey	<b>Second Given Name</b> A.
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Seattle	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
2	<b>Post Office Address</b>	<b>Post Office Address</b> 306 N.W. 113 <sup>th</sup> Place	<b>City</b> Seattle	<b>State &amp; Zip Code/Country</b> Washington, 98117/USA
<b>Signature of Inventor 202:</b>				<b>Date:</b>
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Bajorath	<b>First Given Name</b> Jurgen	<b>Second Given Name</b>
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Lynnwood	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> Germany
3	<b>Post Office Address</b>	<b>Post Office Address</b> 17406 37 <sup>th</sup> Avenue W.	<b>City</b> Lynnwood	<b>State &amp; Zip Code/Country</b> Washington, 98037/USA
<b>Signature of Inventor 203:</b>				<b>Date:</b>



2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Peach	<b>First Given Name</b> Robert	<b>Second Given Name</b> J.
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Southampton	<b>State or Foreign Country</b> Pennsylvania	<b>Country of Citizenship</b> New Zealand
4	<b>Post Office Address</b>	<b>Post Office Address</b> 10 High Point Drive	<b>City</b> Southampton	<b>State &amp; Zip Code/Country</b> Pennsylvania, 18966/USA
<b>Signature of Inventor 204:</b>			<b>Date:</b>	
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Brady	<b>First Given Name</b> William	<b>Second Given Name</b>
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Bothell	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
5	<b>Post Office Address</b>	<b>Post Office Address</b> 618 219 <sup>th</sup> Place S.W.	<b>City</b> Bothell	<b>State &amp; Zip Code/Country</b> Washington, 98021/USA
<b>Signature of Inventor 205:</b>			<b>Date:</b>	
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Wallace	<b>First Given Name</b> Philip	<b>Second Given Name</b>
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Seattle	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
6	<b>Post Office Address</b>	<b>Post Office Address</b> 3020 64 <sup>th</sup> Avenue Southwest #D	<b>City</b> Seattle	<b>State &amp; Zip Code/Country</b> Washington, 98116/USA
<b>Signature of Inventor 206:</b>			<b>Date:</b>	
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Damle	<b>First Given Name</b> Nitin	<b>Second Given Name</b>
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<b>Signature of Inventor 207:</b>			<b>Date:</b>	

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MANDEL & ADRIANO

United States Patent Application

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As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

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U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS as of July 3, 2000 (patented, pending, abandoned)
07/723,617	27 June 1991	Abandoned
08/008,898	22 January 1993	Patented
08/228,208	15 April 1994	Pending
08/539,436	5 October 1995	Pending
09/014,761	28 January 1998	Pending
09/603,825	26 June 2000	Pending

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/036,549	31 January 1997

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Sarah B. Adriano	Reg. No. 34,470
SaraLynn Mandel	Reg. No. 31,853
Roberta D. German	Reg. No. 43,902
Greg S. Hollrigel	Reg. No. 45,374

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Mandel & Adriano to the contrary.

Please direct all correspondence in this case to Mandel & Adriano at the address indicated below:

Mandel & Adriano  
35 No. Arroyo Parkway, Suite 60  
Pasadena, California 91103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2  0 1	<b>Full Name Of Inventor</b>	<b>Family Name</b> Linsley	<b>First Given Name</b> Peter	<b>Second Given Name</b> S.
	<b>Residence &amp; Citizenship</b>	<b>City</b> Seattle	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
	<b>Post Office Address</b>	<b>Post Office Address</b> 2430 9 <sup>th</sup> Avenue West	<b>City</b> Seattle	<b>State &amp; Zip Code/Country</b> Washington, 98119/USA
<b>Signature of Inventor 201:</b>			<b>Date:</b>	
2  0 2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Ledbetter	<b>First Given Name</b> Jeffrey	<b>Second Given Name</b> A.
	<b>Residence &amp; Citizenship</b>	<b>City</b> Seattle	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
	<b>Post Office Address</b>	<b>Post Office Address</b> 306 N.W. 113 <sup>th</sup> Place	<b>City</b> Seattle	<b>State &amp; Zip Code/Country</b> Washington, 98117/USA
<b>Signature of Inventor 202:</b>			<b>Date:</b>	
2  0 3	<b>Full Name Of Inventor</b>	<b>Family Name</b> Bajorath	<b>First Given Name</b> Jurgen	<b>Second Given Name</b>
	<b>Residence &amp; Citizenship</b>	<b>City</b> Lynnwood	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> Germany
	<b>Post Office Address</b>	<b>Post Office Address</b> 17406 37 <sup>th</sup> Avenue W.	<b>City</b> Lynnwood	<b>State &amp; Zip Code/Country</b> Washington, 98037/USA
<b>Signature of Inventor 203:</b>			<b>Date:</b>	

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Peach	<b>First Given Name</b> Robert	<b>Second Given Name</b> J.
0	<b>Residence &amp; Citizenship</b>	<b>City</b> San Diego	<b>State or Foreign Country</b> California	<b>Country of Citizenship</b> New Zealand
4	<b>Post Office Address</b>	<b>Post Office Address</b> 10022 Paseo Monril, Apt. 210	<b>City</b> San Diego	<b>State &amp; Zip Code/Country</b> California, 92129/USA
<b>Signature of Inventor 204:</b>				<b>Date:</b>
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Brady	<b>First Given Name</b> William	<b>Second Given Name</b>
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Bothell	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
5	<b>Post Office Address</b>	<b>Post Office Address</b> 618 219 <sup>th</sup> Place S.W.	<b>City</b> Bothell	<b>State &amp; Zip Code/Country</b> Washington, 98021/USA
<b>Signature of Inventor 205:</b>				<b>Date:</b>
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Wallace	<b>First Given Name</b> Philip	<b>Second Given Name</b>
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Seattle	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
6	<b>Post Office Address</b>	<b>Post Office Address</b> 3020 64 <sup>th</sup> Avenue Southwest #D	<b>City</b> Seattle	<b>State &amp; Zip Code/Country</b> Washington, 98116/USA
<b>Signature of Inventor 206:</b>				<b>Date:</b>
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Damle	<b>First Given Name</b> Nitin	<b>Second Given Name</b>
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Monmount Junction	<b>State or Foreign Country</b> New Jersey	<b>Country of Citizenship</b> USA
7	<b>Post Office Address</b>	<b>Post Office Address</b> 865 Ridge Road	<b>City</b> Monmount Junction	<b>State &amp; Zip Code/Country</b> New Jersey, 08852/USA
<b>Signature of Inventor 207:</b>				<b>Date:</b>

#### § 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
- (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

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- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

MANDEL & ADRIANO

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

The specification of which

- a. ☐ is attached hereto  
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2 0 1	Full Name Of Inventor	Family Name Linsley	First Given Name Peter	Second Given Name S.
	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship USA
	Post Office Address	Post Office Address 2430 9 <sup>th</sup> Avenue West	City Seattle	State & Zip Code/Country Washington, 98119/USA
Signature of Inventor 201:			Date:	
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Signature of Inventor 202:			Date:	
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	Residence & Citizenship	City Lynnwood	State or Foreign Country Washington	Country of Citizenship Germany
	Post Office Address	Post Office Address 17406 37 <sup>th</sup> Avenue W.	City Lynnwood	State & Zip Code/Country Washington, 98037/USA
Signature of Inventor 203:			Date:	



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## United States Patent Application

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2  0  1	Full Name Of Inventor	Family Name Linsley	First Given Name Peter	Second Given Name S.
	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship USA
	Post Office Address	Post Office Address 2430 9 <sup>th</sup> Avenue West	City Seattle	State & Zip Code/Country Washington, 98119/USA
Signature of Inventor 201:			Date:	
2  0  2	Full Name Of Inventor	Family Name Ledbetter	First Given Name Jeffrey	Second Given Name A.
	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship USA
	Post Office Address	Post Office Address 306 N.W. 113 <sup>th</sup> Place	City Seattle	State & Zip Code/Country Washington, 98117/USA
Signature of Inventor 202:			Date:	
2  0  3	Full Name Of Inventor	Family Name Bajorath	First Given Name Jurgen	Second Given Name
	Residence & Citizenship	City Lynnwood	State or Foreign Country Washington	Country of Citizenship Germany
	Post Office Address	Post Office Address 17406 37 <sup>th</sup> Avenue W.	City Lynnwood	State & Zip Code/Country Washington, 98037/USA
Signature of Inventor 203:			Date:	

2	Full Name Of Inventor	Family Name Peach	First Given Name Robert	Second Given Name J.
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Signature of Inventor 204:			Date:	
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5	Post Office Address	Post Office Address 618 219 <sup>th</sup> Place S.W.	City Bothell	State & Zip Code/Country Washington, 98021/USA
Signature of Inventor 205:			Date:	
2	Full Name Of Inventor	Family Name Wallace	First Given Name Philip	Second Given Name
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6	Post Office Address	Post Office Address 3020 64 <sup>th</sup> Avenue Southwest #D	City Seattle	State & Zip Code/Country Washington, 98116/USA
Signature of Inventor 206:			Date:	
2	Full Name Of Inventor	Family Name Damle	First Given Name Nitin	Second Given Name
0	Residence & Citizenship	City Monmount Junction	State or Foreign Country New Jersey	Country of Citizenship USA
7	Post Office Address	Post Office Address 865 Ridge Road	City Monmount Junction	State & Zip Code/Country New Jersey, 08852/USA
Signature of Inventor 207:			Date:	

#### § 1.56 Duty to disclose information material to patentability.

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MANDEL & ADRIANO

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Roberta D. German	Reg. No. 43,902
Greg S. Hollrigel	Reg. No. 45,374

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Mandel & Adriano to the contrary.

Please direct all correspondence in this case to Mandel & Adriano at the address indicated below:

Mandel & Adriano  
35 No. Arroyo Parkway, Suite 60  
Pasadena, California 91103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2  0 1	<b>Full Name Of Inventor</b>	<b>Family Name</b> Linsley	<b>First Given Name</b> Peter	<b>Second Given Name</b> S.
	<b>Residence &amp; Citizenship</b>	<b>City</b> Seattle	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
	<b>Post Office Address</b>	<b>Post Office Address</b> 2430 9 <sup>th</sup> Avenue West	<b>City</b> Seattle	<b>State &amp; Zip Code/Country</b> Washington, 98119/USA
<b>Signature of Inventor 201:</b>			<b>Date:</b>	
2  0 2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Ledbetter	<b>First Given Name</b> Jeffrey	<b>Second Given Name</b> A.
	<b>Residence &amp; Citizenship</b>	<b>City</b> Seattle	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> USA
	<b>Post Office Address</b>	<b>Post Office Address</b> 306 N.W. 113 <sup>th</sup> Place	<b>City</b> Seattle	<b>State &amp; Zip Code/Country</b> Washington, 98117/USA
<b>Signature of Inventor 202:</b>			<b>Date:</b>	
2  0 3	<b>Full Name Of Inventor</b>	<b>Family Name</b> Bajorath	<b>First Given Name</b> Jurgen	<b>Second Given Name</b>
	<b>Residence &amp; Citizenship</b>	<b>City</b> Lynnwood	<b>State or Foreign Country</b> Washington	<b>Country of Citizenship</b> Germany
	<b>Post Office Address</b>	<b>Post Office Address</b> 17406 37 <sup>th</sup> Avenue W.	<b>City</b> Lynnwood	<b>State &amp; Zip Code/Country</b> Washington, 98037/USA
<b>Signature of Inventor 203:</b>			<b>Date:</b>	

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- or
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



# MANDEL & ADRIANO

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INTELLECTUAL PROPERTY ATTORNEYS

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SARALYNN MANDEL  
SARAH B. ADRIANO\*  
35 N. ARROYO PARKWAY SUITE 60  
PASADENA, CA 91103  
PHONE (626) 395-7801  
FAX (626) 395-0694  
\*Admitted in New York Only

July 12, 2000

Audrey F. Sher, Esq.  
Senior Patent Attorney  
Bristol-Myers Squibb Company  
PO Box 4000  
Princeton, New Jersey 08543-4000

Re: Peter S. Linsley et al., entitled "SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF," U.S. Serial No. Not Yet Known filed by Express Mail No. EK334620531US on July 3, 2000, continuation-in-part of U.S. Serial No. 08/228,208 filed April 15, 1994, U.S. Serial No. 08/539,436 filed October 19, 1995 and U.S. Serial No. Not Yet Known, filed June 26, 2000, which is a continuation-in-part of U.S. Serial No. 09/014,761 filed January 28, 1998, which claims priority of U.S. Serial No. 60/036,549 filed January 28, 1997 now abandoned; BMS Ref. ON0085I; M&A Ref. 30436.30USI2

Requested Action:	Patent application filed July 3, 2000. Please forward prior art information for filing an Information Disclosure Statement by October 3, 2000.
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Dear Audrey:

## **Patent Application Filed**

This is to advise you that the above-identified patent application was forwarded to the U.S. Patent and Trademark Office for filing on **July 3, 2000**. A copy of the application as filed is enclosed for your files. The application will be assigned a serial number and filing date and taken up for examination in its regular order. We will advise you of the filing particulars when they are received. Products which use the invention may now be marked with the words "patent applied for", "patent pending", or any other suitable words indicating that a patent application has been filed.

Audrey F. Sher, Esq.  
July 12, 2000  
Page 2

Further, I enclose a copy of Combined Declaration and Power of Attorney and Assignment in connection with the above-identified application. Concurrently, I am sending to Drs. Peter S. Linsley, Jeffrey A. Ledbetter, Jurgen Bajorath, Robert J. Peach, William Brady, Philip Wallace and Nitin Damle original Combined Declaration and Power of Attorney and Assignment for their signatures. **Each of the inventors should sign and date the enclosed document where indicated, in black ink, and return a copy of the executed document by facsimile and originals by courier.**

#### **The Option Period in Which to File Foreign is Now Running**

You may be entitled to file corresponding foreign applications. In accordance with most foreign patent laws and treaties, any such application usually must be filed within 12 months (or 6 months for a design patent application) of the U.S. filing date. A limited number of countries, do not offer this option period. An application in these countries must be filed before any public disclosure of the invention. If an application is to be filed in Canada, it must be filed within one (1) year of the first public disclosure (printed publication or otherwise) anywhere in the world if the disclosure is derived from the patent applicant and not from a third party. Please call me if you have any questions about foreign filing of your application.

#### **Inform Us of Changes in the Invention**

You should advise us immediately if any changes or improvements are made in the commercial form of the invention. Upon receipt of such information, we will review the original disclosure and claims to determine whether or not any modifications are required.

#### **Duty of Disclosure is Critically Important**

Another purpose of this letter is to remind you of a critically important obligation. According to Title 37 of the United States Code of Federal Regulations, Section 1.56, every applicant has a duty of candor and good faith to disclose to the U.S. Patent and Trademark Office any information of which the applicant is aware which is material to the examination of the patent application. Rule 56 states:

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. **Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section.** The duty to

disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98.

**Failure to Comply With the Duty Can Have  
Serious Adverse Consequences**

Rule 56 goes on to state that no patent will be granted if this duty of disclosure is violated. Also, if a patent is granted where an applicant fails to comply with Rule 56, the patent may be unenforceable and the patent owner may be liable for attorneys fees and expenses of anyone sued for infringement.

**The Term "Prior Art" is Very Broadly Construed**

Keep in mind that relevant information might relate to any number of different items which existed prior to the invention such as:

- a. patents or publications including your own which describe or suggest the invention,
- b. patents or publications which show or describe any individual feature of the invention, or
- c. similar products (including yours and those of a competitor).

Other information may be relevant if it refutes or is inconsistent with arguments we make in opposing an argument of unpatentability made by the Patent and Trademark Office or asserting an argument of patentability. Additionally, any activities which might be construed as a publication, public use, sale or offer for sale, commercialization, etc. of the invention more than one (1) year prior to filing the application must also be disclosed. Finally, any of your related patent applications may need to be disclosed.

Audrey F. Sher, Esq.

July 12, 2000

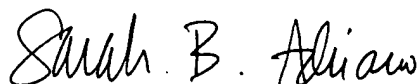
Page 4

**We Must Submit an Information Disclosure Statement**

To meet the Rule 56 obligation, an Information Disclosure Statement should be submitted to the U.S. Patent and Trademark Office on or before **October 3, 2000**. The Information Disclosure Statement must include identification and discussion of the items mentioned above. Therefore, please provide us with any information you have of this type. If other information is later brought to your attention, notify us so that a supplemental statement can be prepared and filed. To avoid incurring fees, each piece of prior art must be disclosed to the Patent and Trademark Office within three months of the time that it first came to your attention.

Please respond to us regarding this matter in sufficient time for us to prepare a complete Information Disclosure Statement before the date noted above. If you have any questions or comments, do not hesitate to discuss them with us.

Sincerely,



Sarah B. Adriano

Enclosure: Copy of Patent Application as Filed

cc: Christopher A. Klein, Esq. (w/o encl.)  
Dr. Peter Linsley (w/encl.)  
Dr. Jeffrey Ledbetter (w/encl.)  
Dr. Jurgen Bajorath (w/encl.)  
Dr. Robert Peach (w/encl.)  
Dr. William Brady (w/encl.)  
Dr. Philip Wallace (w/encl.)  
Dr. Nitin Damle (w/encl.)

## ASSIGNMENT

BMS Ref. No. ON0085I

For good and valuable consideration, the receipt of which is hereby acknowledge, ASSIGNOR (S),

- |                     |                         |
|---------------------|-------------------------|
| 1. Peter S. Linsley | 2. Jeffrey A. Ledbetter |
| 3. Jurgen Bajorath  | 4. Robert J. Peach      |
| 5. William Brady    | 5. Philip Wallace       |
| 7. Nitin Damle      |                         |

hereby sell, assign and transfer to ASSIGNEE, Bristol-Myers Squibb Company, a New Jersey corporation, having its statewide administrative offices located at PO Box 4000, Princeton, New Jersey 09543-4000, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

and which is found in

- (a) \_\_\_\_\_ U.S. patent application executed \_\_\_\_\_, entitled as above and listing the above-named persons as inventors
- (b)   X   U.S. application serial no. Not Yet Known, filed on July 3, 2000
- (c) \_\_\_\_\_ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension or substitute thereof, and any reissue, reexamination or extension of said Letters patent and all rights under all International Conventions for the Protection of Industrial Property:

ASSIGNOR (S) hereby covenants that no assignment, sale agreement or encumbrance has been or will be made or entered into which would conflict with his assignment;

ASSIGNOR (S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments, or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

And the ASSIGNOR (S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, Bristol-Myers Squibb Company.

executed this

Signature of Inventor (s)

\_\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_\_  
Peter S. Linsley

\_\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_\_  
Jeffrey A. Ledbetter

\_\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_\_  
Jurgen Bajorath

\_\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_\_  
Robert J. Peach

\_\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_\_  
William Brady

\_\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_\_  
Philip Wallace

\_\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_\_  
Nitin Damle

FILE  
(30436. 300512)

# MANDEL & ADRIANO

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INTELLECTUAL PROPERTY ATTORNEYS

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SARALYNN MANDEL  
SARAH B. ADRIANO\*  
35 N. ARROYO PARKWAY, SUITE 60  
PASADENA, CALIFORNIA 91103  
PHONE (626) 395-7801  
FAX (626) 395-0694  
\*Admitted in New York Only

January 30, 2001

**By Federal Express**

Audrey F. Sher, Esq.  
Senior Patent Attorney  
Bristol-Myers Squibb Company  
PO Box 4000  
Princeton, New Jersey 08543-4000

Re: Peter S. Linsley et al., entitled "SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF," U.S. Serial No. 09/609,915 filed July 3, 2000, CIP of U.S. Serial No. 09/603,825 filed June 26, 2000, CIP of U.S. Serial No. 09/014,761, divisional of U.S. Serial No. 08/539,436 filed October 5, 1995 now U.S. Patent No. 6,132,992 issued on October 17, 2000, CIP of U.S. Serial No. 08/228,208 filed April 15, 1994, now U.S. Patent No. 6,090,914 issued on July 18, 2000, which is a CIP of U.S. Serial No. 08/008,898 filed January 22, 1993, now U.S. Patent No. 5,770,197 issued on June 23, 1998, which in turn is a CIP of U.S. Serial No. 07/723,617 filed June 27, 1991 now abandoned BMS Ref. ON0085I; M&A Ref. 30436.30US12

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Dear Audrey:

I enclose a second Combined Declaration and Power of Attorney in connection with the above-identified application. The first Combined Declaration and Power of Attorney contained typographical errors. Of course you will not be billed for this correction.

Concurrently, I am sending each to Drs. Peter S. Linsley, Jeffrey A. Ledbetter, Jurgen Bajorath, Robert J. Peach, William Brady, Philip Wallace and Nitin Damle an original Combined Declaration and Power of Attorney for their signatures. Each of the inventors should sign and date the enclosed document where indicated, in black ink, and return a copy of the executed document by facsimile and originals by courier by **February 16, 2001**.

Audrey F. Sher, Esq.

January 30, 2001

Page 2

If you have any comments or questions, please do not hesitate to call.

Sincerely,



Stephanie Hseih

SBA/SH/rapd

Enclosure

cc: Peter S. Linsley (w/encl., return receipt requested)  
Jeffrey A. Ledbetter (w/encl., return receipt requested)  
Jurgen Bajorath (w/encl., return receipt requested)  
Robert J. Peach (w/encl., return receipt requested)  
William Brady (w/encl., return receipt requested)  
Philip Wallace (w/encl., return receipt requested)  
Nitin Damle (w/encl., return receipt requested)

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